

DAVID BARRON, ESQ.
Nevada Bar No. 142
JOSEPH R. MESERVY, ESQ.
Nevada Bar No. 14088
BARRON & PRUITT, LLP
3890 West Ann Road
North Las Vegas, Nevada 89031-4416
Telephone: (702) 870-3940
Facsimile: (702) 870-3950
Email: DBarron@lvnvlaw.com
Email: JMeservy@lvnvlaw.com
Attorneys for Defendant,
Smart Industries Corporation

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WESCO INSURANCE COMPANY as subrogee
of its insured NICKELS AND DIMES
INCORPORATED,

Plaintiff,

vs.

SMART INDUSTRIES CORPORATION dba
SMART INDUSTRIES CORP., MFG., an Iowa
corporation,

Defendants.

Case No.: 2:16-cv-01206-JCM-EJY

**CONSOLIDATED FOR PURPOSES OF
DISCOVERY AND TRIAL**

JENNIFER WYMAN, individually; BEAR
WYMAN, a minor, by and through his natural
parent JENNIFER WYMAN; JENNIFER
WYMAN and VIVIAN SOOF, as Joint Special
Administrators of the ESTATE OF CHARLES
WYMAN; and SARA RODRIGUEZ natural
parent and guardian ad litem of JACOB WYMAN,

Plaintiffs,

vs.

SMART INDUSTRIES CORPORATION dba
SMART INDUSTRIES CORP., MFG, an Iowa
Corporation; HI-TECH SECURITY INC, a
Nevada Corporation; WILLIAM ROSEBERRY;
BOULEVARD VENTURES, LLC, a Nevada
Corporation; DOES 1 through 10; BUSINESS
ENTITIES I through V; and ROE
CORPORATIONS 11 through 20, inclusive,

Case No.: 2:16-cv-02378-JCM-EJY

**STIPULATION AND ORDER FOR
EXTENSION OF TIME FOR
DEFENDANT SMART TO TAKE
CERTAIN DEPOSITIONS (First Request)**

Defendants.

HI-TECH SECURITY INC; and WILLIAM
ROSEBERRY,

Third-Party Plaintiffs,

vs.

NICKELS AND DIMES INCORPORATED,

Third-Party Defendants.

On February 19, 2020, this Court issued an Order (ECF No. 199) stating that “discovery is reopened for a period of 45 days, beginning from the date of this Order, for the sole and exclusive purpose of allowing Smart Industries to depose Sara Rodriguez, Samir Bangalore, M.D. as a fact witness, Jerry Andrews as a fact witness, Lisa Gavin, as a fact witness, and Person Most Knowledgeable for the Clark County Coroner/Medical Examiner, and the Person(s) Most Knowledgeable for Sunrise Hospital, Affordable Cremation & Burial, and the Clark County Fire Department.” ECF No. 199 at 19. Accordingly, Smart Industries currently has until April 4, 2020 to take any of the foregoing depositions.

Due to “the recent outbreak of the coronavirus disease 2019 (“COVID-19”) in the District of Nevada” (*see* Temporary General Order 2020-03), deponents have communicated to counsel for Smart Industries real concerns about participating in-person for a deposition at this time. Upon information and belief, others, including Jerry Andrews, have simply avoided communicating any availability. Additionally, Smart Industries is concerned that technology presently available may impede its ability to present deponents with detailed documents at deposition and elicit their testimony concerning the same.

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With this Court's approval, the parties hereby agree that the deadline for "Smart Industries to depose Sara Rodriguez, Samir Bangalore, M.D. as a fact witness, Jerry Andrews as a fact witness, Lisa Gavin, as a fact witness, and Person Most Knowledgeable for the Clark County Coroner/Medical Examiner, and the Person(s) Most Knowledgeable for Sunrise Hospital, Affordable Cremation & Burial, and the Clark County Fire Department" shall be extended by 60 days, or such other time as deemed appropriate by the Court. As such, the deadline provided in ECF No. 199 at 19 for Smart Industries to take the aforementioned depositions shall conclude 60 days from the date of this order.

This Stipulation is submitted in good faith and is not interposed for purposes of delay. This is the first request to extend the discovery deadline for the sole purpose of allowing Smart Industries to depose Sara Rodriguez, Samir Bangalore, M.D. as a fact witness, Jerry Andrews as a fact witness, Lisa Gavin, as a fact witness, and Person Most Knowledgeable for the Clark County Coroner/Medical Examiner, and the Person(s) Most Knowledgeable for Sunrise Hospital, Affordable Cremation & Burial, and the Clark County Fire Department.

Respectfully submitted,

Dated this 19th day of March, 2020,

BARRON & PRUITT, LLP

/s/ Joseph R. Meservy
DAVID BARRON, ESQ.
Nevada Bar No. 142
JOSEPH R. MESERVY, ESQ.
Nevada Bar No. 14088
3890 West Ann Road
North Las Vegas, Nevada 89031
*Attorneys for Defendant
Smart Industries Corporation*

Dated this 19th day of March, 2020,

CLIFF W. MARCEK, P.C.

/s/ Cliff Marcek
CLIFF W. MARCEK, ESQ.
Nevada Bar No. 5061
536 East St. Louis Ave.
Las Vegas, Nevada 89104
*Attorneys for Plaintiffs Sara Rodriguez
and Jacob Wyman*

Dated this 19th day of March, 2020,

EGLT ADAMS

/s/ James Trummell
TRACY A. EGLT, ESQ.
Nevada Bar No. 6419
JAMES A. TRUMMELL, ESQ.
Nevada Bar No. 14127
ASHLEY E. KABINS, ESQ.
Nevada Bar No. 15057
400 South 7th Street, 4th Floor
Las Vegas, Nevada 89101
Attorneys for the Wyman Plaintiffs

ORDER

Based upon the Stipulation of the parties hereto, and with good cause appearing therefor,
IT IS HEREBY ORDERED, that the Stipulation to Extend hereinabove is hereby Granted.
DATED this 23rd day of March, 2020.


UNITED STATES MAGISTRATE JUDGE

BARRON & PRUITT, LLP
ATTORNEYS AT LAW
3890 WEST ANN ROAD
NORTH LAS VEGAS, NEVADA 89031
TELEPHONE (702) 870-3940
FACSIMILE (702) 870-3950